

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 4, 1999

LB 100

(AM)0354. Is that...

SENATOR COORDSEN: Senator Beutler.

SENATOR BEUTLER: Withdraw that one. I believe there's one more, Mr. Clerk, that would be following in order. I'd withdraw that also. (Re AM0355.)

CLERK: Mr. President, Senator Don Pederson would move to amend, AM0492. (AM0492 was withdrawn as found on page 827 of the Legislative Journal.)

SENATOR COORDSEN: Senator Pederson, to open on your amendment.

SENATOR D. PEDERSON: (Speaking on AM0591 found on page 780 of the Legislative Journal.) Mr. President, members of the body, just for refreshing the recollection of the body, this is the bill that deals with the transfer of real estate upon the death of a decedent who owned property in their own name and allows for the transfer of that property by affidavit. Senator Beutler had asked several questions dealing with the title insurance aspect of this particular bill and the concern that he had in that regard, and I have worked with Senator Beutler and also with members of the National...or, yeah, the National Association of Title Examiners in order to make certain that what we are doing will pass muster of the title examiners. Now this allows for the transfer of real estate value up to \$25,000. In the first...I've embodied all of these amendments and all of the concerns that people had into one amendment, just for clarity purposes, and these are really cleanup in order to make certain that we are achieving a good title for people. The first amendment that we have here deals with the fact that the affidavit that's referred to will be prima facie evidence of the facts that are stated therein and, by that, that allows the title examiner to know that they can rely upon this the same as they would with any other legitimate business transaction and that they can rely on it for title purposes. The next thing is that there shall be a certified copy of the death certificate that's filed. This will verify that more than 30 days have elapsed and, of course, in fact, that the person is deceased. The next one is asking that the successor, who is asking for this title transfer, state their relationship to the decedent